(19)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Misc. Appeal No. 1299 of 2005

CORAM: Hon'ble Shri S.R. Nayak, CJ
& Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Appellant : 1. Mahendra Singh Thakur S/o late Arjun Singh Thakur, aged about 40 years, by caste Kshyatriya, Occupation-Service (Lecturer) R/o Civil Lines, Raigarh, Tahsil and District Raigarh (Chhattisgarh)

Versus

Respondents : 1. Chini Lal Harvansh S/o Tularam Harvansh, Occupation-Driver, R/o Punjipathara, Raigarh, Sainik Transport Punjupathara, Tahsil Gharghora, District Raigarh (C.G.)

: 2. M/s Raigarh Sainik Transport, Punjupathara, Raigarh, Tahsil Gharghoda, District Raigarh (C.G.)

: 3. The New India Insurance Company Limited, 4 Liyance Renpa Calcutta, Through-Branch Manager, The New India Insurance Company, Raigarh, Tahsil and District Raigarh (CG)

Shri Santosh Kumar Tiwari, Counsel for the appellant.

ORAL ORDER
(Passed on 10th January 2006)

The following oral order of the Court was passed by DILIP RAOSAHEB DESHMUKH, J.

1. In this appeal in a personal injury case, the appellant has assailed the order dated 19.7.2005 of the Tribunal on the ground that the compensation awarded is on the lower side and needs to be enhanced. The learned counsel for the appellant has admitted that no permanent disability certificate was filed. A perusal of the award

passed by the Tribunal also shows that the appellant had suffered fracture in the Tibia and Fibula bone of the left leg. However, since the appellant was serving as lecturer, after the fracture he resumed his normal duties as such. There is no permanent disability suffered by the appellant.

2. In view of the above and after going through the award passed by the learned Claims Tribunal, in our considered opinion, the award does not call for any interference.

3. The appeal is dismissed.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge